

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

**FILED**

April 22, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

United States of America

v.

Martin Edgar GARZA PACHECO

BY: CL  
DEPUTYCase No. **DR:23-1328M-01***Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 22, 2022 in the county of Maverick in the  
Western District of Texas, the defendant(s) violated:*Code Section*

18 U.S.C. 554

*Offense Description*

Exportation of Goods from the United States

This criminal complaint is based on these facts:

From statements received from firearm straw purchasers, GARZA PACHECO was suspected of smuggling firearms from the United States into Mexico, and was detained at the Eagle Pass Port of Entry on 04/21/2023. During a Post Miranda interview, GARZA PACHECO admitted to hiring subjects to purchase firearms for him, so he could smuggle them into Mexico.

☐ Continued on the attached sheet.

ERIC SCHLUETER

Digitally signed by ERIC SCHLUETER  
Date: 2023.04.22 17:40:16 -05'00'*Complainant's signature*

Eric Schlueter, ATF Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 04/22/2023*Judge's signature*City and state: Del Rio, Texas

Victor Garcia, U.S. Magistrate Judge

*Printed name and title*

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF TEXAS**  
**DEL RIO DIVISION**

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Special Agent Eric Schlueter, being duly sworn do hereby depose and state:

1. Your Affiant is currently employed as a Special Agent (“SA”) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since June 2021 and is currently assigned to the San Antonio Field Office. Prior to June 2021, your Affiant was employed as a Police Officer for the City of Florissant, Missouri. Your Affiant has a combined total of approximately 8 years of law enforcement experience and training with experience in investigations concerning violations of Title 18.
2. Beginning in June of 2022, Agents identified Martin Edgar GARZA PACHECO, as being involved in firearms smuggling from the United States into Mexico.
3. On April 17, 2023, SA Schlueter and TFO Rodriguez interviewed Victor Ybarra-Daniels and Shiddartha Salinas-Avila, for suspicious firearms purchases they were completing. Ybarra-Daniels recently purchased 20 firearms and Salinas-Avila recently purchased 12 similar firearms.
4. Notably, Ybarra-Daniels purchased two firearms on April 14, 2023 from Academy Sports and Outdoors (#39) in San Antonio. These firearms are:
  - a) MAKE: Smith & Wesson, MODEL: M&P380, .380 Caliber Handgun, with Serial Number: NLZ1851
  - b) MAKE: Smith & Wesson, MODEL: M&P380, .380 Caliber Handgun, with Serial Number: RHA0307
  - c) Both Ybarra-Daniels and Salinas-Avila admitted to straw-purchasing the firearms for GARZA PACHECO, who met them in San Antonio, Texas and took the firearms from them and transported them into Mexico to sell. GARZA PACHECO’s crossing history from Mexico into the United States, corroborated these statements.
  - d) On April 21, 2023, GARZA PACHECO entered the United States through the Eagle Pass Port of Entry and was interviewed by Agents.

- e) During a post-Miranda interview, which was terminated and continued on the following day, GARZA PACHECO admitted to hiring Ybarra-Daniels and Salinas-Avila to purchase all the firearms they had recently purchased, specifically the two Smith & Wesson .380 caliber handguns, that Ybarra-Daniels purchased on 04/14/2023. GARZA PACHECO advised he had used his vehicle and smuggled all of these firearms through the Eagle Pass Port of Entry into Mexico and sold them for profit.
- f) Based on the above facts, your affiant believes there is probable cause that **Martin Edgar GARZA PACHECO**, committed the offense of Exporting Goods from the United States, in violation of 18 U.S.C. §554.

ERIC SCHLUETER

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SCHLUETER  
Date: 2023.04.22 15:23:42 -05'00'

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Special Agent Eric Schlueter

Bureau of Alcohol, Tobacco, Firearms, and  
Explosives

SUBSCRIBED AND SWORN TO ME THIS 22nd DAY OF April, 2023.



HONORABLE JUDGE VICTOR GARCIA

UNITED STATES MAGISTRATE JUDGE